

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

IN RE LORAZEPAM AND CLORAZEPATE  
ANTITRUST LITIGATION

CASE NUMBER MDL 1290 (TFH)

UNITED WISCONSIN SERVICES, INC., on  
behalf of itself, its subsidiaries and affiliates,  
including BLUE CROSS & BLUE SHIELD  
UNITED OF WISCONSIN, INC., COMPCARE  
HEALTH INSURANCE CORPORATION,  
UNITY HEALTH PLANS INSURANCE  
CORPORATION, VALLEY HEALTH PLAN  
INCORPORATED and all others similarly  
situated,  
401 West Michigan Street  
Milwaukee, Wisconsin 53203

CASE NUMBER 1:99-CV-01082

JUDGE: THOMAS F. HOGAN

BLUE CROSS BLUE SHIELD OF KANSAS,  
INC., on behalf of itself and all others similarly  
situated,  
1133 Topeka Boulevard  
Topeka, Kansas 66612

-and-

(caption continued)

**FILED**

FEB - 1 2002

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

ORDER ON  
PETITION FOR ATTORNEYS' FEES,  
COSTS AND LITIGATION EXPENSES

GROUP HOSPITALIZATION and MEDICAL )  
SERVICES, INC., d/b/a CAREFIRST BLUE )  
CROSS BLUESHIELD, on behalf of itself and all )  
others similarly situated, )  
550 12th Street S.W. )  
Washington, DC 20065, )

Plaintiffs, )

v. )

MYLAN LABORATORIES, INC. )  
130 Seventh Street )  
1030 Century Building )  
Pittsburgh, Pennsylvania 15222, )

MYLAN PHARMACEUTICALS, INC. )  
781 Chestnut Ridge Road )  
Morgantown, West Virginia 26505, )

CAMBREX CORPORATION )  
One Meadowlands Plaza )  
East Rutherford, New Jersey 07073, )

- and - )

GYMA LABORATORIES OF AMERICA, INC. )  
135 Cantiague Rock Road )  
Westbury, New York 11590, )

Defendants. )

This action (the "Action") having come before this Court for a hearing, as noticed, on November 29, 2001, pursuant to the Order Conditionally Certifying Settlement Class and Preliminarily Approving Proposed Settlement dated February 9, 2001 (the "Preliminary Approval Order") to consider and determine the matters set forth in the Preliminary Approval Order, due notice of the hearing having been published and given; all entities having objections

to the proposed settlement (the "Settlement") set forth in the Stipulation of Settlement, dated January 29, 2001 (the "Settlement Agreement"), and described in the Notice of Settlement of Class Action (the "Notice"), having been given an opportunity to present such objections to the Court; all entities having been given an opportunity to request exclusion; the Court having considered the matter, including the United Wisconsin Plaintiffs' Petition For Attorneys' Fees, Costs And Litigation Expenses (the "Petition"), and all papers filed in connection therewith, and upon the oral presentations of counsel at the hearing; and good cause appearing therefor,

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:**

1. The Court has jurisdiction over the subject matter of this litigation and over all of the parties.

2. The Petition is hereby granted and the requested award of attorneys' fees and reimbursement of expenses (the "Fee Award") is found to be fair and reasonable.

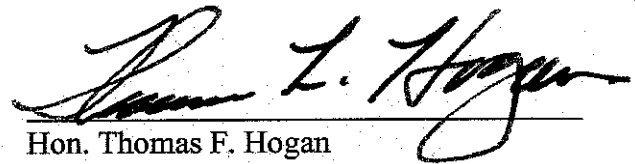
Accordingly, counsel is awarded attorneys' fees in the amount of 15% of the Settlement Fund (as that term is defined in the Settlement Agreement), together with the interest earned on the Settlement Fund, and out-of-pocket litigation costs and expenses in the amount of \$278,267.33. <sup>\$275,000.00</sup> JPH

Such fees and expenses are to be paid to Indirect Purchaser Lead Counsel to be distributed to private plaintiffs' counsel in the Related Actions as reasonably determined by Indirect Purchaser Lead Counsel. The application for incentive awards to the named plaintiffs in the amount of \$25,000 each is granted (the "Incentive Awards"). Such Incentive Awards are to be paid to Indirect Purchaser Lead Counsel for distribution to the named plaintiffs and shall be paid out of the Mylan Settlement Fund Account (as defined in the Settlement Agreement). The Fee Award to be paid out of the Mylan Settlement Fund Account shall not be paid until the Effective Date of the Mylan Settlement, and the Fee Award to be paid out of the SST Settlement Fund Account.

shall not be paid until the Effective Date of the SST Settlement (as those terms are defined in the Settlement Agreement). The Incentive Awards shall not be paid until the Effective Date of the Mylan Settlement.

3. Without in any way affecting the finality of this Final Order and Judgment, this Court hereby retains jurisdiction over the Action for the purposes of implementing and enforcing the terms of the Settlement Agreement, including the administration of the Settlement, as well as all matters relating to the terms of this Final Order and Judgment.

SO ORDERED this 1<sup>st</sup> day of February, 200~~1~~<sup>2</sup>.

  
Hon. Thomas F. Hogan  
Chief Judge